

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DISTRICT**

NEWBE SAFO,

Plaintiff,

v.

CAROL HANNAH, *et al.*,

Defendants.

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Civil Action No. AW-07-2932

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MEMORANDUM OPINION

Plaintiff Newbe Safo (“Plaintiff”) brings this personal injury suit against Defendants Carol Hannah, Washington Metropolitan Area Transit Authority (“WMATA”), Keith Ward, and Edward Fritzmaurice (collectively, “Defendants”). Currently pending before the Court is Defendant WMATA’s Motion to Transfer to the United States District Court for the District of Columbia (Docket No. 6), to which Plaintiff has consented (Docket No. 7). The Court has reviewed the parties’ pleadings and the entire record and finds that no hearing is deemed necessary. *See* Local Rule 105.6 (D. Md. 2004). For the reasons below, the Court will GRANT Defendant WMATA’s Motion to Transfer.

FACTUAL & PROCEDURAL BACKGROUND

On the morning of September 13, 2006, Plaintiff was riding as a passenger on a WMATA metrobus, traveling southbound on 16th Street, N.W., in Washington, D.C., toward the intersection at Irving Street, N.W. The bus was being operated by Defendant Carol Hannah. The bus that Plaintiff was riding collided with a motor vehicle, owned and operated by

Defendant Edward Fritzmaurice, who was traveling eastbound on Irving Street, N.W. Shortly after that collision, another WMATA metrobus, driven by Defendant Keith Ward, struck the bus that Plaintiff was riding in the rear. As a result of these collisions, Plaintiff suffered multiple personal injuries.

Plaintiff initially filed this suit in the District Court of Maryland for Prince George's County against all Defendants. On October 30, 2007, this case was removed to this Court by Defendant WMATA pursuant to 28 U.S.C. §1446. On November 5, 2007, Defendant WMATA answered Plaintiffs complaint as well as filed a cross-claim against co-Defendant Edward Fritzmaurice. Additionally, Defendant WMATA filed a Motion to Transfer the instant proceeding to the United States District Court for the District of Columbia. There is currently pending another law suit arising out of the same motor vehicle collision originally complained of by Plaintiff before the United States District Court for the District of Columbia, captioned *Alexander Pineda v. WMATA and Edward J. Fritzmaurice*.¹

ANALYSIS

Pursuant to 28 U.S.C. §1404(a), a district court may transfer any civil action to any other district or division where it might have been brought, for the convenience of the parties and witnesses and in the interest of justice. In deciding whether to transfer a civil action to another district court, the Court considers several factors, including 1) the weight accorded to the plaintiff's choice of venue; 2) witness convenience and access; 3) convenience of the parties; and 4) the interest of justice. *Dicken v. United States*, 862 F.Supp. 91, 92 (D. Md. 1994).

Since this action could have originally been brought in the United States District Court

¹Case No. 1:-07-CV-01948 (Judge Emmet G. Sullivan).

for the District of Columbia, where the accident occurred, and considering the above-mentioned factors, it seems that this case is an appropriate one for transfer. Additionally, as there has been a previously filed lawsuit arising out of the same transaction in the United States District Court for the District of Columbia, the Court believes that there are no compelling reasons why this case should remain in this Court.² Moreover, Plaintiff concurs that the instant matter should be transferred.

CONCLUSION

Therefore, in light of the reasons put forth by Defendant WMATA, and with Plaintiff's consent, the Court will GRANT Defendant WMATA's Motion to Transfer to the United States District Court for the District of Columbia (Docket No. 6) pursuant to 28 U.S.C. §1404. A separate Order consistent with this Memorandum Opinion will follow.

November 15, 2007

Date

/s/

Alexander Williams, Jr.
United States District Judge

² The Court recognizes that his good friend Judge Emmet G. Sullivan has a full load of cases, but hopefully sending to him one additional case from his buddy in Maryland should not wreak havoc on his calendar.

